Sects. II-27—100,006—21-5-52.

Finance (1946) Department.

Ms. SERIES.

G.O. No. 182

Dated 25th February 1948

[Despatch Abstract.]

PENSION - Revision of Pension Rules relating to future entrants to Government service - Papers Recorded.

NO.F.6 (55) (A)-R.II/38
Government of India,
Finance Department,

Simla, the 9th January 1946

NOTIFICATION.

No.F.6(55)-(A)-R.II/38.- In exercise of the powers conferred by clause (a) of sub-section (2) of section 241 of the Government of India Act, 1935, the Governor-General in Council is pleased to direct that the following further amendments shall be made in the Civil Service Regulations, namely:--

In the said Regulations:--

I. After Article 349-A the following Article shall be inserted, namely:--

"Article 349AA.- Article 349A does not apply to an officer (1) who entered Government service on or after the 1st October 1938 or (2) who, having entered such service before that date, did not hold a lien or a suspended lien on a permanent pensionable post before that date or (3) who is transferred on or after the 1st October 1938, permanently from service under a Provincial Government or a Local Fund administered by Government to service under the Governor-General in Council and did not hold a lien or a suspended lien on a permanent pensionable post under the Provincial Government or the Local Fund before that date.

In the case of such officers the rules in Articles 465-AA, 474 AA and 475 AA replace the rules in Articles 465A, 474A, 475, 475A and 623".

II. After Article 465-A the following Article and Note shall be inserted, namely:--

"Article 465AA.- For officers referred to in Article 349AA the rule for the grant of retiring pension is as follows:-

(1) An officer is entitled, on his redignation being accepted, to a retiring pension after completing qualifying service of not less than 30 years.

(2) A retiring pension is also granted to an officer who is required by Government to retire after completing 25 years' qualifying service or more.

Note.- Government retains an absolute right to retire any officer after he has completed 25 years' qualifying service without giving any reasons, and no claim to special compensation on this account will be entertained. This right will not be exercised except when it is in the public interest to dispense with the further services of the officer."

III. After Article 474A the following Article shall be inserted, namely:-

"Article 474AA.- For officers referred to in Article 349AA the amount of gratuity and pension is regulated as follows:-

(a) After a service of less than ten years, a gratuity not exceeding one month's emoluments for each completed year of service. If the emoluments of the officer have been reduced during the last three years of his service otherwise than as a penalty, average emoluments may, at the discretion of the authority which has

(b) After a service of not less than ten years a pension not exceeding the following amounts;

(i) For superannuation, invalid and compensation pensions--

Years of completed service	Scale of pension	Maximum limit of pension											
		TABLE - A Central Service Class I						TABLE -B Other Officers.					
		Rs.			Rs.			Rs.			Rs.		
(1)	(2)	(3)			(4)			(5)			(6)		
10	10 sixtieths of average emoluments	2,000	a year or		166-2/3	a month		2,000	a year or		166-2/3	a month	
11	11 "	2,200	"		183-1/3	"		2,150	"		170-1/6	"	
12	12 "	2,400	"		200	"		2,300	"		191-2/3	"	
13	13 "	2,600	"		216-2/3	"		2,450	"		204-1/6	"	
14	14 "	2,800	"		233-1/3	"		2,600	"		216-2/3	"	
15	15 "	3,000	"		250	"		2,750	"		229-1/6	"	
16	16 "	3,200	"		266-2/3	"		2,900	"		241-2/3	"	
17	17 "	3,400	"		283-1/3	"		3,050	"		254-1/6	"	
18	18 "	3,600	"		300	"		3,200	"		266-2/3	"	
19	19 "	3,800	"		316-2/3	"		3,350	"		279-1/6	"	
20	20 "	4,000	"		333-1/3	"		3,500	"		291-2/3	"	
21	21 "	4,200	"		350	"		3,650	"		304-1/6	"	
22	22 "	4,400	"		366-2/3	"		3,800	"		316-2/3	"	
23	23 "	4,600	"		383-1/3	"		3,950	"		329-1/6	"	
24	24 "	4,800	"		400	"		4,100	"		341-2/3	"	
25	25 30 "	5.000	"		416-2/3	"		4,250	"		354-1/6	"	
26	30 "	5,200	"		433-1/3	"		4,400	"		366-2/3	"	
27	30 "	5,400	"		450	"		4,550	"		379-1/6	"	
28	30 "	5,600	"		466-2/3	"		4,700	"		391-2/3	"	
29	30 "	5,800	"		483-1/3	"		4,850	"		404-1/6	"	
30	30 "	6,000	"		500	"		5,000	"		416-2/3	"	

(ii) p.t.o.

IV. After Article 475-A the following Article shall be inserted, namely:--

"Article 475AA.-- For officers referred to in Article 349AA the rule for the grant of special additional pensions is as follows:--

(1) The special additional pension admissible under this Article is not to be given as a matter of course but only where the service rendered is approved as satisfying the standard of work and conduct required in the special conditions of the post or duty hereinafter mentioned.

(2) Officers who have held posts listed in the schedule to this Article may be granted an additional pension (a) at the rate of Rs.250/- for each completed year of effective service in any posted included in the lower grade, and (b) at the rate of Rs.400 for each completed year of effective service in any post included in the upper grade, up to a maximum of Rs.1,250/- per annum for service in lower grade appointments and Rs.2,000 per annum for service in lower and upper grade appointments combined or in upper grade appointments alone. Provided that in the case of an officer who has earned an additional pension by service in appointments in both the upper and lower grades, service for any broken period of a year in the upper grade may count as service in the lower grade if his pension would be thereby increased.

(3) An officer who has held a temporary post which has been declared by the authority competent to create the post as carrying similar duties and responsibilities, and which carries the same rate of pay as a post listed in the Schedule, may be granted an additional pension in respect of that post at the rate and subject to the conditions prescribed in clause (2) of this Article.

(4) For the purpose of clauses (2) and (3) of this Article "effective service" includes, besides periods of duty in a post mentioned in the said classes,--

(i) duty performed--

(a) in a post of corresponding rank, and responsibility in foreign service, or

(b) on deputation on special duty, or

(c) in a temporary post, or

(d) in a permanent post in an officiating capacity,

to which an officer is transferred or appointed whilst holding the post mentioned in clause (2) or (3), if, in the case of an officer who held a post mentioned in clause (2) in an officiating capacity or of an officer who held a post mentioned in clause (3), Government certifies that he would, if had not been so transferred, or appointed, have continued to officiate in or hold the post concerned.

(ii) Earned leave for the purpose of calculating service for pension taken by an officer during his service in a post mentioned in clauses (2) and (3) or during the period of duty covered by sub-clause (i) of this clause, if in the case of an officer who has held a post mentioned in clause (2) in an officiating capacity, or who has held a post mentioned in clause (3), Government certifies that he would, if he had not proceeded on leave, have continued to officiate in the post mentioned in clause (2), or have held a post mentioned in clause (3).

For the purpose of this sub-clause earned leave, taken by an officer immediately on vacating any of the posts mentioned in sub-rules (2) and (3) of Fundamental Rule 97 ~~dirm~~ during which he is left without a lien on any permanent post, shall be regarded

as leave taken during his service in such a post.

(5) An officer of pensionable status who has held a post in foreign service with a State-Owned Railway worked by a Company, which is certified by Government to correspond in rank and responsibility with a State Railway post to which special additional pension is attached may be granted an additional pension in respect of that post at the rates and subject to the conditions prescribed in clause (2) of this Article, provided that, for the purposes of this clause "effective service" means dury including earned leave for the purpose of calculating service for pension) in a foreign service post.

(6) An officer who has received under the second provisio to Fundamental Rule 30(1) or under Fundamental Rule 113, officiating promotion to one of the posts listed in the Schedule or in whose case Government certifies that he would have received such promotion had he not been on special duty or held a temporary post, may be granted an additional pension at the rates and subject to the conditions prescribed in clause (2), as though he had held during the period for which he officiated or would have officiated, a post listed in the Schedule.

For the purpose of this clause the period of officiating promotion includes any earned leave for the purpose of calculating service for pension taken during the period, if Government certifies that, had the officer not been on leave, he would continued in the same capacity.

(7) The grant of additional pension to officer is subject to the condition that they must in the event of voluntary retirement have completed 28 years of qualifying service. Voluntary retirement for the purpose of this rule should be taken as retirement under Article 464".

SCHEDULE OF APPOINTMENTS CARRYING ADDITIONAL PENSIONS.

A.- Upper Grade*

Director- General of Posts and Telegraphs
Chief Engineer, Posts and Telegraphs
Senior Deputy Director General, Posts and Telegraphs
Postmasters General (if pay is Rs.2,000)
Surveyor-General
Vice-Chairman, Imperial Council of Agricultural Research
Inspector-General of Forests
Chief Engineer, Central Public Works Department
Secretary, Commerce Department
Joint Secretary, Commerce Department
Indian Trade Commissioner, London
Deputy Auditor General of India
Accountants Generalships and other major charges in the Indian Audit Department (if pay is Rs.2000).
Mint Masters
Master, Security Printing, India
Members, Central Board of Revenue
Commissioners of Income-Tax, Bombay and Bengal
Collectors of Customs (if pay is Rs.2000)
Collectors of Central Excise (if pay is Rs.2000)
Secretary, Finance Department
Joint Secretary, Finance Department
Financial Adviser, Military Finance.

B. - Lower Grade

Director General of Observatories
Deputy Directors-General, Posts and Telegraphs
Deputy Chief Engineer, Posts and Telegraphs
Directors of Telegraphs
Postmasters General (if pay is Rs.1,600)
Director, Imperial Agricultural Research Institute, New Delhi
Director General of Archaeology

Director, Imperial ~~Agri~~ Veterinary Research Institute.
Director, Zoological Survey
Directors, Survey of India
Chief Inspector of Mines.
Director Geological Survey
Superintending Engineers, Public Works Department
Controller, Printing and Stationery
Deputy Secretary, Commerce Department
Deputy Economic Adviser to the Government of India
Deputy Indian Trade Commissioner, London
Financial Adviser, Communications
Deputy Secretary (Budget), Finance Department
Accountant Generalships and other major charges in the Indian Audit Department. (If pay is less than Rs.2000)
Deputy Financial Advisers, Military Finance
Collectors of Customs (if pay is less than Rs.2000)
Collectors of Central Excise (if pay is ~~not~~ less than Rs.~~1,6~~
Commissioners of Income-tax, Madras (Central), Bombay, Punjab Bihar and Orissa and the Commissioner of Income-tax for th United and Central Provinces
First and Second Secretaries to the Central Board of Revenue.
Chief Chemist Central Revenues (if pay is not less than Rs.1600)

V. After Note 2 below Article 623 the following Note shall be inserted, namely:-

"Note 3-This Article does not apply to officers who come under Article 349AA."

K.R.P. Aiyangar,
Deputy Secretary to the Government of India.

No.F.6(55) (B)-R.II/38
Government of India
Finance Department
Simla, the 9th January 1946

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NOTIFICATION.

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No.F.6(55) (B)-R.II/38- In exercise of the powers conferred by clause (a) of sub-section (2) of section 241 of the Government of India Act, 1935, the Governor-General in Council is pleased to direct that the following further amendments shall be made in the Superior Civil Services Rules, namely:--

I. After clause (a) of Rule 13 of the said Rules the following Note shall be inserted, namely:--

"Note.-The provisions of this rule do not apply to officers referred to in Article 349AA of the Civil Service Regulations."

II. To rule 14 of the said Rules the following Note shall be added, namely:--

"Note.- The provisions of this rule do not apply to officers referred to in Article 349AA of the Civil Service Regulations".

K.R.P. Aiyangar,
Deputy Secretary to the Government of India.

(True copies)

Superintendent,
Madras Record Office.

aj/22.6

•p.t.o

Finance (Pen.) Deptt.

Revision of pension rules relating to future entrants to Government service

From the Government of India, Finance Department, No.F. 6(55)-R.II/38, dated 29th March 1946.

In their notification dated 9-1-1946, the Government of India have issued certain amendments to Civil Service Regulations which are to apply to persons who entered service under them on or after 1-10-1938. The question has to be considered whether similar amendments should be made by this Government.

2. The Government of India's letter No.F.6(55)-R.II/38 dated 14-11-1939 cited on p.1 c.f. appears to have been filed with G.O.No.53 Finance (Pension) dated 12-1-1939 - copy at flag (Z) in stock file below. The original of that G.O. was taken for current No.44016 Pen. dated 22-11-1940, relating to the subject 'compulsory retirement of Govt. servants under certain circumstances'. The file relating to this current along with the put-up papers appears to have been destroyed by fire in July 1941 (the file was later reconstructed) - vide pencil note in the margin on p.51 of G.O.No.176 Finance dated 27-2-42.

3. In view of the fact that the G.O. containing the Govt. of India's letter dated 14-11-1939 appears to have been destroyed by fire, it is submitted that a copy of the letter may be obtained from the Government of India. Subject to orders, a draft letter is submitted for approval.

24-4-1946

(Issued as Letter No.1815-Pen.-1, dated 24-4-1946)

Letter from the Government of India, No.D.1812-Est.V/46, dated 21-5-1946.

Finance (Pen.) Deptt.

In their notification No.F. 6(55)(A)R.II/38 dated 9-1-46, the Government of India have introduced a new set of pension rules for application to those who enter service under the Central Government on or after 1-10-1938. The date 1-10-1938 is the date specified in the Government of India's Resolution announcing their decision that all persons who enter service under that Govt. on or after the above-mentioned date shall be governed by the revised pension rules to be issued by them in due course. This Government intended to consider revision of the pension rules applicable to Provincial Govt. servants after the Govt. of India had issued their revised pension rules - vide G.O.No.53 Fin. (Pen.) dated 12-1-39. The question has now to be examined whether amendments similar to those in the Govt. of India's notification may be issued by the Provincial Govt. with any modification that may be found necessary. (The pension rules contained in the C.S.R. as framed by the Secretary of State have been adopted by this Govt. to regulate the pensions of the provincial and Subordinate Services)

2. There are at present two sets of pension rules as shown below

(1)		(2)	
Article	465 C.S.R.	Article	349-A C.S.R.
"	474 "	"	404-A "
"	475 "	"	465-A "
		"	474-A "
		"	475-A "

The articles mentioned in col.(2)/embody what are known as the 'new pension rules of 1919'. These new pension rules were issued with the sanction of the Secret-

of State and after a consideration of the report of the Royal Commission on the Public Services in India - vide Govt. of India's Resolution recorded in G.O.No.729 Public dated 15-12-1919. A list of those rules were to apply was compiled by the Govt. of India after consulting Provincial Governments and was inserted in Article 349-A C.S.R. All persons appointed after 29-8-1919 to the services and appointments specified in Article 349-A are governed by Articles 465-A and 474-A which replace in their case Articles 465 and 474 C.S.R. The benefits of Articles 404-A C.S.R. (addition of 5 years to qualifying service) and 475-A (Grant of Special additional pension) accrue to such persons only if their appointments are specifically included in those articles. In the case of persons not governed by Articles 349-A, 465-A etc. the rules applicable to them are Articles 465 475 etc.

3. Before noting on the changes in pension rules now made in the Government of India's notification in C.F., the important modifications in the scale of pension and conditions of retirement introduced by the new pension rules of 1919 may be enumerated. They are:--

(1) Maximum limit of pension - The maximum rate of pension which was Rs.5,000 per annum was raised to a graduated scale ranging from Rs.5,000 to Rs.6,000 per annum.- compare article 474-A(ii) with Article 474(b) C.S.R.

(2) Voluntary retirement: The minimum period of qualifying service for voluntary retirement was reduced from 30 years to 25 years. The amount of retiring pension admissible is N/60ths of average emoluments subject to the maximum limits specified in Article 474-A(ii)(a) C.S.R. where maximum limits specified in Article 474-A(ii) C.S.R. where N represents the number of completed years of qualifying service.

(3) Compulsory retirement There was no provision previously to enable the Government to retire an officer compulsorily except on the ground of inefficiency or unfitness for further advancement. The new rules gave power to retire an officer compulsorily after 25 years of service without giving any reasons.

(4) Addition to qualifying service. The concession of reckoning as qualifying service the period not exceeding 5 years by which the age at the time of appointment exceeded 25 years was newly attached to a large number of services and appointments - vide the list in Article 404-A C.S.R.

(5) Special additional pension. The rates of special additional pension for officers holding high posts were liberalised and the list of appointments qualifying for the additional pension was also enlarged considerably - compare Article 475-A with Article 475 C.S.R.

4. The changes now made by the Government of India in respect of the matters mentioned in para 3 above as compared with the existing rules i.e. the rules contained in Article 349-A, 404-A, 465-A, 474-A and 475A are summarised below.

(1) Maximum limit of pension. In the case of members of the Central Services, Class I the graded maximum pension ranging from Rs.5,000 to Rs.6,000 per annum introduced in 1919 is to be retained. In the case of all other officers, the Government of India have decided to limit the maximum pension to Rs.5,000 per annum which was in force before 1919 and in the case of such officers the maximum limits of pension specified in Article 474 (b) C.S.R. have been replaced by different maximum limits so as to allow.

Vide slip attached for (a) and (b)

(2) Voluntary retirement. The minimum period for voluntary retirement has been raised from 25 to 30 years.

(3) Compulsory retirement. There is nochange in this respect.

(4) Addition to qualifying service. This does not find a place in the Govt. of India's notification since the concession had been discontinued for future entrants in 1937 itself.

(5) Special additional pension. The rates of upper and lower grade special additional pension for each year of service have been reduced from Rs.500 p.a. and Rs.300 p.a. ~~xx~~ to Rs.400 and 250 p.a. respectively. The total additional pension which can be earned by service in the lower grade alone has been reduced from Rs.1500 to Rs.1250 p.a. Similarly, the total which can be earned by service in the upper grade or upper and lower grades combined has been reduced from Rs.2.500 to Rs.2,000 p.a.

5. The Government of India have not sent a separate letter indicating the reasons which have led them to ~~deliberately~~ deliberalise the existing pension rules, as shown in their notification in the c.f. in order to enable this Govt. to consider how far those reasons hold good in the case of Provincial Services. Apparently, the Government of India consider that a reduction in the scales of ordinary and special additional pension for persons appointed substantively on or after 1-10-38 would be in a line with the reduction of scales of pay and leave privileges made by them in the case of Central Services - please see their Resolution recorded in G.O.No.53 Finance (Pension) dated 12-1-1939. The question whether the new rules made by the Government of India, which involve deliberalisation of the existing rules, should be adopted for Provincial Services with any suitable modifications is examined below.

6. General remarks. Before examining the details of the amendments to the C.S.R. made by the Govt. of India with a view to adopting them, the following observations may be made.

(a). Before issuing important amendments like those in the c.f., the Govt. of India usually consult the Provincial Governments for their views, even though the proposed amendments were to apply to services under the Central Government's rule-making control. The reason is to ensure, as far as possible, uniformity of treatment between the Provincial Government servants and the Central Governments serving in the same Province. In this case, no previous reference for the views of the Provincial Government has been made by India..

(b). When the Government of India's Resolution intimating their decision to issue revised pension rules for future entrants (i.e. those who enter services under the Central Govt. on or after 1-10-1938) was recorded by this Govt. with the remark that 'it is the intention of this Government also to ~~xxx~~ revise the existing pension rules as soon after the Government of India have issued their revised rules as possible', it does not appear that the Government of India had sent to us a draft of the revised pension rules for future entrants which they proposed to issue nor even indicated, in rough outline, the broad lines on which the revision of the rules was to be made. In these circumstances, the question whether any amendments to the Provincial Government's service rules in the manner indicated in the Government of India's notification need be made has to be examined afresh; and it is open to this Government not to make any changes at all, if they do not consider it necessary to adopt the amendments made by the Govt. of India. It may also be noted that, unlike some cases, the Govt. of India have not, in sending ~~x~~ to us a copy of their notification, made a specific suggestion requesting the Govt. to consider the desirability of making similar amendments for the services under the rule-making control of the Provincial Government.

I was Dy.Secy. at the time and my recollection is that no details as to the lines of amendment were indicated then.

** **
7-6-1946

** However there is the decision in (Z) which signifies this Govt's intention to come into line with the G.O.I. The original of (Z) would have been useful but unfortunately it is said to have been destroyed by fire.
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(c). As observed at A on p.5 above, the deliberation of the scales of pension (ordinary and special additional) has been made by the Govt. of India, so as to be in a line with the downward revision of pay scales for Central Govt. servants in 1933. The Govt. of India have recently appointed a Commission to go into the question of the pay, pension etc., of servants under the Central Govt. mainly, but the Commission may also make recommendations as applicable to Govt. servants all over India. The question whether a general revision of pay of the Provincial and Subordinate Services should be made is under separate consideration. If this Government issue now itself amendments to the C.S.R. similar to those issued by the Central Govt., it is possible that the matter will have to be examined again if and when the pay-scales are revised and when the recommendations of the Commission appointed by the Central Govt. are received. The Govt. of India have also under consideration the question whether a part of the war allowance now drawn by Govt. servants should be reckoned as emoluments for pension. As the cost of living is now more than that which prevailed after the war of 1914-18, there is prima facie no need to take up deliberalising the pension rules at this juncture; and in this view, the question can be deferred till after a decision is reached on the several questions mentioned at portion B above.

There was a downward revision in Madras too in '33.
** 5/6/
B

(d). There is at present a vast difference in the scales of pension admissible to officers holding high posts of responsibility under the Central Government and to officers holding similar posts under this Government. This is because the Central Governemt (and probably all other Provincial Governments are continuing the grant of special additional pensions under Article 475-A C.S.R. to the above officers, while this Govt. have discontinued the grant of the special additional pension to Provincial Service Officers appointed after 27-4-38 to the Posts specified in G.O.No.426 Finance (Pen.) d/27-4-1938. A further reduction in the scales of ordinary pension would not be justified in the case of officers holding high posts of responsibility like the I.G. of Registration, Superintending Engineers of the P.W.D. and Legal Secretary to Government.

7. If it is considered that this Govt. may proceed to make amendments similar to those made by the Govt. of India, Departments of the Secretariat may be requested to state which of the posts included in the Provincial services under their control may be regarded as comparable to Central services, Class I for the purpose of continuing in their case the existing scales of pension - which are the same as those shown in Table A in Article 474-AA(b) C.S.R. on p.4 c.f. To all other officers the slightly reduced scales of pension shown in Table B in the above Article will apply. The attention of the Departments may be invited to the schedule in the Annexure under F.R. 116, the posts in which have been taken as similar to Central Services Class I for the purpose of recovering contribution for pension and leave from foreign employers. The reason for fixing higher rates of contribution for pension in the case of officers specified in the schedule and lower rates for all other officers in the Provincial services is that the former draw higher pay than the ~~Provincial services~~ ordinary time-scale applicable to the service and will therefore be eligible to draw higher pensions.

8. The Departments of the Secretariat may be requested to offer their remarks on the proposal to issue amendments similar to those made in clauses I, II and III of the ~~G.O.I.'s~~ Govt. of India notification. It is not necessary to take any action with reference to clause IV of the notification as this Govt. have discontinued altogether the grant of special additional pensions in respect of Provincial Service Officers. It does not also seem necessary to take action with reference to clause V of the notification, as Article 623 C.S.R. applies to officers of the Army Veterinary Department transferred to Civil Veterinary Department and such officers, if any, serving under this Government will be governed by the Government of India's rules. Departments of the

may also be requested to furnish the information asked for in para 7 above.

9. In their second notification dated 9-1-46, the Govt. of India have made certain amendments to the Superior Civil Services rules with the object of making future entrants eligible for the revised rates of pension specified in Article 474AA C.S.R. in lieu of enhanced pension now admissible under rules 13((a) and 14 of the above rules. The only post in this Province the holders of which is not under the rule-making control of the Secretary of State and is now eligible for enhanced pension under the above rules seems to be the Registrar, High Court. To make sure that there are no other posts, the A.G. may be requested to state whether apart from individual officers, who have been admitted by the ~~Secretary~~ State or the Provincial Government to the enhanced scale of pension admissible under the Superior Civil Services Rules, there are any other, the holders of which are under the rule-making control of this Govt. and who are at present eligible for pension under the S.C.S. rules. A draft memo. to the A.G. is submitted and removed for issue.

Home may be requested to offer their remarks whether future entrants to the post of Registrar, High Court may be declared eligible for pension under Article 474 AA C.S.R. in lieu of pension under the S.C.S. Rules.

10. Before the remarks of the Departments of the Secretariat are invited as suggested in paras 7-9 above, it is submitted that the case may be sent to Public (Services) for remarks on the proposed amendment generally - please see para 6 of note on pp.5-7 above. They may be requested to advise, in particular, whether the issue of amendments to pension rules similar to those issued by the Govt. of India as should be taken up now, or may wait till a decision is reached on the several questions mentioned in clause (c) of para (6) on p.6 above.

This may be decided in consultation with all Deptts. The file need not go to Public first.

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5/6

The point for decision is whether this Govt. should adopt amendments similar to those adopted by the Govt. of India in the case of their officers (vide c.f.) The effect of these amendments is detailed in para 4 of the note above. The financial effect cannot be computed, but the ultimate and recurring saving under 'Pensioner charges' is bound to be considerable. The Govt.'s intention in 1939 was to accept these ~~recommendations~~ amendments in the case of their servants. I do not think what is stated in para 6 of the note will provide sufficient justification for not carrying out this intention, now that ~~G.O. II's~~ revised rules have been received (though after 7 years) Govt. of India's

However all departments may be consulted - their attention may be invited to paras 7 - 9 of the note above. Secretary may see at this stage.

5- 6-1946

There is no reason why the scales of pension for officers under the rule-making control of this Govt. should be higher than for officers holding similar posts under the Govt. of India. The Govt. of India have reduced the rates generally for officers who entered service after 1-10-38 or were made permanent after that date. I doubt whether the order in (Z) will itself justify our applying any revised rules we may frame to officers who may have been appointed to a pensionable post in the past. (Whether there are any other orders or rules which would justify giving retrospective effect to any revised rules will however be examined in detail later). Now that the Govt. of India have reduced their scales this Government may follow suit - at least for officers who may be appointed to pensionable posts in future.

The draft to Accountant-General may issue, but it is unnecessary to trouble departments until the general question whether the scales applicable to other officers should also

be reduced on the lines adopted by the Govt. of India is decided. Public (Services) may see.

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7- 6-46

Public (Services)

This department may agree that the revised pension rules issued by the Government of India - See c.f. - may be adopted in respect of the Provincial and Subordinate Services of this Province. The file may be returned to Finance.

I think that Finance may first take orders in circulation whether the matter may not better lie over until the questions referred to in para 6(c) of the note on p.6 supra are decided. This will save work. There seems to be no point in introducing scales of pension which are likely to be revised in the near future.

K.R.M.
12-6-1946

Finance (Pen.) Deptt.

The Govt. of India have reduced the scale of pension admissible to Gazetted officers appointed substantively on or after 1st October 1938. The effect of the amendments made by them is indicated in para 4 on p.4 above. In para 6(c) on p.6 above, mention was made of the fact that certain questions such as the following are now under consideration - namely, the revision of pay etc. of Govt. servants with reference to the recommendations of the Pay Commission recently set up by the Government of India, the revision of pay of the various Services under this Government and the question of reckoning a part of the war allowance as emoluments for pension. It has been noted by this Department that there is no need to hold up action in this case till after the above questions are decided and that this Govt. may follow suit in applying the revised rules to officers holding similar posts under this Govt. who may be appointed in future. The Public Dept. have suggested that orders may be taken in circulation first on the general question whether the issue of rules similar to those in the c.f. may not lie over until the questions referred to in para 6(c) on p.6 above are decided. The case may now be circulated for orders on the above point.

2. As regards the point whether the revised rules which may be issued on the lines of the Govt. of India's rules can be given retrospective effect, the usual practice is not to apply to existing incumbents revised rules which would operate to their disadvantage. As instances, mention may be made of G.O. 426 Fin. (Pen.), dated 27-4-38, G.O. 666 Fin.(Pen.) dated 2-7-38 and the new article 3514-A C.S.R. In cases where the revised rules contain advantages in some respects and disadvantages in some other respects, officers who were in service on the date of promulgation of the revised rules are given a choice to elect to remain under the old rules or to elect to be governed by the new rules - for precedent vide Article 349-A(1)(b) C.S.R. The revised rules in the c.f. will operate to the disadvantage of officers. It is therefore for consideration whether it is necessary to give retrospective effect to the amendments which might be issued by this Govt. on the lines of the Govt. of India's amendments. *

* Revision may aplly only to the cases of officers appointed to pensionable posts after the orders accepting the revision are passed by Govt. (Vide 'C' of Secy.'s note on p.9 ante).

For orders on 'P' above.

** **
17-6-46

The changes made by the Govt. of India in the pension rules applicable to their officers are indicated in para 4, p.4 above.

The point for orders is whether this Govt. may also adopt the amendments in respect of Provincial and Subordinate Services Officers of this Province (as soon as the detailed examination of the posts to be included in Class I has been completed) - as suggested by this Department,

Or

whether this may wait until the question of revision of pay scales etc. referred to at B on p.6 above has been decided as suggested by Public (Ser.)

**
17-6-46

H.P.M. This may wait until the question of ~~revision of~~ revision of policy is settled.

T.P.
26-6-1946

H.E. **

Finance (Pen.) Deptt.

The question of revision of policy has not yet been settled. The paper may lie over till 1-12-1946

**
6-11-46

As the question of revision of policy has not been settled yet, this file may lie over till 1-2-47. The amendments in this file apply to Gazetted Officers, and a decision on the revision of pay of Provincial Services will have to be awaited with reference to the orders in circulation on p.12 above.

2-12-46.

N Submitted that orders on the general question of revision of pay of provincial services have not been issued yet. The Re-organisation and Retrenchment Committee is examining the question. This file may therefore lie over for another month (i.e. till 1-3-47).

3-2-47.

As the question referred to above has not been finally decided yet, submitted that this file may lie over till 1-4-47.

5-3-47.

*Referred to at 'N' above — As the question referred to above has not been finally decided yet, submitted that this file may lie over for another month till 1-5-47

3-4-47

p.t.o.

As the question is still under consideration, it is submitted that this file may lie over for another month, i.e. till 1-6-47.

3-5-

Finance (Pen.) Deptt.

Please see the orders on the previous page. The file may continue to lie over till 1-7-47.

**

4-6-47

As the question is still under consideration, it is submitted that this may continue to lie over till 1-8-47

**

1-8-47

As the question referred to at N on p.13 above is still under consideration, this may continue to lie over till 1-9-47

**

2-8-1947

As the question referred to at N on p.13 above is still under consideration, this may continue to lie over till 1-10-47.

**

1-9-47

As the question referred to at N on p.13 above is still under consideration, this may continue to lie over till 1-11-47.

**

9-10-1947

As the question referred to at N on p.13 above is still under consideration, this may continue to lie over till 1-12-47

**

1-11-1947

Finance (Pen.) Deptt.

The Government of India have reduced the scale of pension admissible to gazetted officers appointed substantively on or after 1-10-38. The effect of the amendments made by them is indicated in para 4 on p.4 above. The question whether similar amendments should be made by this Govt. was examined by this Deptt. It was ordered in circulation that it should wait until the question of revision of pay which was then under the consideration of this Govt. was settled. Now that the question of revision of the scales of pay of Provincial Services has been settled, it is for consideration whether the question referred to at A above should be taken up now.

2. It may in this connection be pointed out that the Central Pay Commission has in the meanwhile put forth the following recommendations

(i) The lower scales of pensions recommended in the case of new entrants i.e. those not in permanent service on 1-4-38 should not be applied.

(ii) An overall maximum of Rs.8000 p.a. as pension would be in-keeping with the salaries maxima proposed by the Commission

(iii) The scale of pension should be 1/80th of emoluments for a year of service subject to a limit of 35/80 and not exceeding Rs.8000 for 35 years service.

Apparently these recommendations of the Commission are under consideration of the Govt. of India. Item (i) above relates to the present case and if it is accepted by India, the

the reduced pensions introduced by them will go and consequently the question referred to at A on p. 15 above will not arise. It would therefore seem better to wait for the decision of the
A Government of India on the recommendation of the Commission. Action regarding the other two recommendations may also be taken after the decision of the Govt. of India is communicated to us. This may lie over pending receipt of final orders of the Govt. of India.

I believe the question of pensions is also under review by the Retrenchment and Re-organisation Committee. Before any revision of the pension rules is made, the decision of the
** Govt. of India on the point referred to at 'A' above as also
3-1-48 the recommendations of the Retrenchment and Re-organisation Committee on the subject may be awaited.

**
26-12-1947

Seen. Please give an extract of para 4 on p.4 and the summarising note on pp.10-11 and notes on pp.15-16. I want this before this evening if possible.

C.S.R.
3-1-48

Finance (Pen.) Deptt.

Further action may be taken when the decision of the Government of India is received. The case may be closed after making a call booking entry to that effect. The papers may be -

G.O. Ms.No.182 Finance, dated 25th February 1948.

RECORDED

V.K.R.
25-2-48

Abstract

PENSION - Revision of Pension Rules relating to future entrants to Government service - Papers Recorded.

(True copy)

Superintendent,
Madras Record Office.

aj/23.6